

## REMARKS

Claim 36 has been amended to recite the “multiplicity” language from the specification. Also, support for the resolution of both the aerosol properties or the aerosol type is found on page 18 lines 3-10 of the specification.

The examiner has cited a single reference against claim 1. The first part of the “aerosol retrieval” section of the reference describes an entirely different method, one based on known reflectance values. The paragraph relevant to the method of claim 1 is the last one in the section, which describes the use of ratios, and is copied below:


"If there are no "known" surfaces in the image, an alternative method must be used. Kaufman et al. have recently shown that for typical "dark" terrain the shortwave reflectance values (at 0.66  $\mu\text{m}$  and 0.49  $\mu\text{m}$  in particular) can be estimated from the reflectance at 2.1  $\mu\text{m}$  by using empirical ratios. The 2.1  $\mu\text{m}$  reflectance can be retrieved from an initial retrieval with an estimated aerosol, as it is not very sensitive to the assumed aerosol amount. Recently we have developed a generalized, single-step implementation of the reflectance ratio method. Agreement with retrievals based on calibrated reflectance panels has been found to be reasonable (to within 0.02  $\text{km}^{-1}$  reciprocal visible range)."

The second and third sentences of this paragraph describe a paper by Kaufman. The last two sentences of this paragraph refer to a single step implementation. Clearly, this paragraph does not disclose any of the steps of claim 1 of the present patent application, in particular the steps set forth in lines 11-16 of the claim.

Also, this paragraph clearly and directly states that it is an alternative (“...an alternative method must be used...”) to the method described in the preceding two paragraphs (which begin “One method...”). There is no indication in the reference of how the methods described in quoted paragraph accomplish the atmospheric correction methodology as a whole. Accordingly, the totality of the reference does not teach the method of claim 1, and so the claim must be patentable.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned in Westborough, Massachusetts, (508) 898-1501.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Dingman", is written over a horizontal line.

Brian M. Dingman  
Reg. No. 32,729